

**REMARKS**

Please reconsider this application in view of the above amendments and the following remarks. The Applicant thanks the Examiner for carefully considering this application.

**Disposition of the Claims**

Claims 1-6 are pending in this application. Claims 1 and 4 are independent. The remaining claims depend, directly or indirectly, from the independent claims.

**Amendments to the Claims**

Claim 1 has been amended to incorporate all the limitations of claim 3 and to clarify the claimed invention. Claim 4 has been amended to incorporate all the limitations of claim 6 and to clarify the claimed invention. Accordingly, claims 3 and 6 have been canceled by way of this reply without prejudice or disclaimer. Claims 2 and 5 have been amended to correct minor informalities. Claims 7 and 8 have been added. No new matter has been added by these amendments. Support may be found, for example, in Figure 9 and paragraphs [0090] through [0092] of the published specification.

**Rejection(s) under 35 U.S.C. § 103**

Claims 1-6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,947,165 ("Kataoka") in view of U.S. Patent No. 6,469,795 ("Beaudet"). For the following reasons, this rejection is respectfully traversed.

Amended independent claim 1 recites, in part, “the operation unit enables the user to set a copy condition and transmits information containing copy condition information representing the copy condition set by the user as the interrupt copy start command information, the copy control means of the printer calculates the capacity of an available storage area required for executing the copy control processing based on the copy condition information contained in the interrupt start command information.” Amended independent claim 4 recites, in part, substantially similar limitations to that of claim 1 noted above. Newly added dependent claims 7 and 8 recite, in part, “the printer calculates a required memory capacity based on a copy description specification information, and the printer calculates a predicted time when the available memory capacity reaches the required memory capacity.”

In the present Office Action, the Examiner alleges that “Kataoka (‘165) discloses a user is enabled to set a copy condition and transmit the information containing the copy condition information as the interrupt copy start command information (user is able to set various settings during the interruption, See Col. 3, Line 2-6) and the copy control means calculates the capacity of the available storage area required for executing the copy control processing based on the copy condition information included within the interrupt start command information (See Col. 5, Line 34-36)” (emphasis in original). See Office Action of July 7, 2008 at pages 5-6. However, Kataoka merely discloses a determination as to whether remaining capacity of the image memory 21 is greater than a prescribed value, indicating that there is sufficient space.

In contrast, the claimed invention enables a *user* to set a copy condition. The operation unit transmits the copy condition information representing the copy condition set by the

user as the interrupt copy start command information. The copy control means of the printer calculates the capacity of an available storage area required for executing the copy control processing based on the copy condition information contained in the interrupt start command information. Thus, the claimed invention requires a calculation that includes a copy condition set by the user. Kataoka fails to show or suggest, at least, the above noted limitations of the claimed invention.

Further, with reference to newly added dependent claims 7 and 8, in one or more embodiments of the claimed invention, the printer calculates a required memory capacity based on a copy description specification information, and the printer calculates a predicted time when the available memory capacity reaches the required memory capacity. For at least the same reasons set forth above, Kataoka and Beaudet fail to show or suggest the above noted limitations of claims 7 and 8.


In view of the above, independent claims 1 and 4 are patentable over Kataoka and Beaudet, whether considered separately or in combination for at least the reasons set forth above. Dependent claims 2-3 and 5-8 are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

**Conclusion**

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 04995/129001).

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Respectfully submitted,

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